

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LETICIA SANCHEZ,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	5:21-cv-00018
)	
BEXAR COUNTY SHERIFF'S OFFICE)	
and BEXAR COUNTY, TEXAS,)	
)	
<i>Defendants.</i>)	

NOTICE OF REMOVAL

Now comes Defendant Bexar County and files this Notice of Removal.

INTRODUCTION

1. On November 23, 2020, Plaintiff Leticia Sanchez filed an Original Petition in Cause No. 2020-CI-22752 in the 45th Judicial District Court of Bexar County (the "State Court Action"). Plaintiff's Original Petition asserts claims for employment discrimination in violation of federal law, specifically the Age in Employment Discrimination Act of 1976, Title VII of the Civil Rights Act of 1964, and the Americans with Disabilities Act. Exhibit A. at ¶¶ 4.1, 7.1-9.1.¹ In Plaintiff's Original Petition, she asserts that "Venue is proper in the Western District of Texas, San Antonio Division, pursuant to 28 U.S.C. § 1319(b), and that, because "this civil action arises under the Constitution, laws, or treaties of the United States," subject matter jurisdiction arises under 28 U.S.C. § 1331.

¹ A certified copy of Plaintiff's Original Petition is attached as Exhibit A.

2. The citation for was issued on December 11, 2020, and served on Defendant Bexar County on December 15, 2020.²

3. Respondents are filing file their Notice of Removal within the 30-day period required by 28 U.S.C. § 1446(b).

BASES FOR REMOVAL

4. Removal to this Court is proper because, on its face, the Original Petition sets forth claims under federal law for which this Court presents the proper venue and as to which this Court may exercise subject matter jurisdiction pursuant to 28 U.S.C. § 1331.

5. Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendants remove this action to the United States District Court for the Western District of Texas, San Antonio Division, which is the judicial district and division in which the state court action is pending.

6. All pleadings, process, orders, and other filings in the state court action are attached to this notice as required by 28 U.S.C. § 1446(a).

7. In accordance with 28 U.S.C. § 1446(b)(2)(A), all Defendants consent to the removal of this action to this Court.

INDEX OF EXHIBITS

9. All file-stamped pleadings, process, orders, and other filings served upon Bexar County in the state court action are attached to this notice as required by 28 U.S.C. § 1446(a). Those filings consist of the following:

- a) Exhibit A: Plaintiff's Original Petition
- b) Exhibit B: Citation and Return of Service for Defendants;

² A certified copy of the Citation and Return of Service is attached as Exhibit B.

c) Exhibit C: State District Court Docket Sheet.

JURY DEMAND

10. Respondent demands a jury trial as to any claim asserted by Plaintiff.

CONCLUSION AND PRAYER

For the foregoing reasons, Respondent respectfully requests that the Court uphold this removal and to retain jurisdiction over this suit.

Respectfully Submitted,

JOE GONZALES
Bexar County Criminal District Attorney

By: /s/ Robert Green
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CERTIFICATE OF SERVICE

I do hereby certify on the 11th day of January, 2021, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which provided electronic service upon all parties.

/s/ Robert Green
ROBERT D. GREEN